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**HIGH COURT OF JUDICATURE CHHATTISGARH : BILASPUR**
**(DIVISION BENCH)**

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**CORAM : Hon'ble Shri S.R. Nayak, CJ**
**Hon'ble Shri D.R. Deshmukh, J.**

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**Misc. Appeal No. 1130 OF 2005**

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| **APPELLANT CLAIMANT** | | Shahabuddin, S/o Karimuddin, Aged about 35 years, Occupation - Business, Resident of Village Kailashpur, P.S. Ramanujnagar, Tahsil Surajpur, District Surguja (CG) |
| | | Versus |
| **RESPONDENT NON-APPLICANT (DRIVER)** | 1. | Nashir Khan @ Jahiruddin Khan, s/o. Sarfuddin, Aged about 28 years, Occupation Driver, R/o. Bada Bazar, Chirmiri, P.S. Chirmiri, Tahsil Manendragarh, District Koriya (CG) |
| **OWNER** | 2. | Hajari Lal Sahu, S/o. Shukhlal Sahu, Aged about 35 years, Occupation Business, R/o village Premnagar, P.S. Premnagar, Tahsil Surajpur, District Surguja (C.G) |
| **INSURER** | 3. | United India Insurance Company Limited, through Branch Manager, Branch Office, Near Rammandir, Ambikapur, Distt. Surguja (CG) |

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Present:
Mr.Ashok Kr. Shukla, learned counsel for the appellant.

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**ORAL ORDER**
**(Passed on 4th of January 2006)**

The following Order of the Court was passed by

**S.R. Nayak, CJ:**

In an injury case, the injured not being satisfied with the compensation awarded by the MACT has come up with this appeal for more compensation. The contention of learned counsel for appellant is that the appellant has sustained permanent disability on the left thigh and

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therefore, the MACT ought to have awarded compensation towards future loss of income and loss of amenities of life. The contention does not merit our acceptance. The doctor is not examined in this case. There is absolutely no legal material placed before the MACT to show that the appellant has sustained any permanent disability. On the other hand, factual finding recorded by the MACT is that in the accident, the appellant has sustained only simple injuries; resultantly the very basis on which more compensation is sought towards loss of future income is non-existent. The appeal is, therefore, dismissed. There shall be no order as to costs.

Sd/-
Chief Justice

Sd/-
Dilip Raosaheb Deshmukh
Judge